

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE SPECIFICATION**

The specification has been amended to correct some minor informalities of which the undersigned has become aware. In particular, the specification has been amended to refer to the "list display unit" with reference numeral "19a" so as to accord with the disclosure in Fig. 1. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

### **THE CLAIMS**

\_\_\_\_\_Claim 1 has been amended to clarify that the signal generator is configured to transmit a modulation signal as a test signal to a measurement object corresponding to a digital communication equipment in a mobile communication system. In addition, claim 1 has been amended to clarify that the license management unit comprises a waveform data file information memory which stores wave data file information specifying the plurality of waveform data files stored in the waveform data memory, and that the determining unit utilizes the usable file list stored in the usable file list memory and the wave data file information

stored in the waveform data file information memory to make the determination. Still further, claim 1 has been amended to clarify that the usable file list taken by the usable file list taking unit and the wave data file information stored in the waveform data file information memory have been encoded previously with inherent information in the signal generator.

Yet still further, claim 1 has been amended to clarify that the signal generator further comprises a first decoding unit which is configured to decode an encoded usable file list by using the inherent information in the signal generator and write a decoded usable file list in the usable file list memory, and a second decoding unit which is configured to decode an encoded wave data file information by using the inherent information in the signal generator and transmit a decoded wave data file information to the determining unit, wherein the inherent information in the signal generator comprises a manufacture serial number of the signal generator, and that the signal generator further comprises a manufacture serial number memory which stores the manufacture serial number of the signal generator, and wherein the first decoding unit is configured to decode the encoded usable file list by using the manufacture serial number of the signal generator read from the manufacture serial number memory, and the second decoding unit is configured to decode the encoded wave data file information by using the

manufacture serial number of the signal generator read from the manufacture serial number memory.

See the disclosure throughout the specification and drawings. In particular, see the disclosure in (now canceled) claims 3 and 4, and Fig. 1.

Independent method claim 11, moreover, has been amended in a corresponding manner to amended apparatus claim 1, and claims 3, 4, 13 and 14 have been canceled without prejudice.

Still further, claims 8 and 18 have been amended to recite that the measurement object corresponds to a mobile phone for a W-CDMA system, and the detailed information includes a bit rate. See the disclosure in the specification at, for example, page 25, lines 11-19, and page 33, lines 3-11,

The claims have also been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered. It is respectfully submitted, moreover, that the amended claims are in full compliance with the requirements of 35 USC 112, second paragraph, and it is respectfully requested that the rejection thereunder be withdrawn.

THE PRIOR ART REJECTION

Claims 1, 3-11 and 13-20 were rejected under 35 USC 103 as being obvious in view of the combination of USP 5,001,660 ("Adcock et al") and JP 2002-091449 ("Yamagata"); and claims 2 and 12 were rejected under 35 USC 103 as being obvious in view of the combination of Adcock et al, Yamagata and JP 2002-268762 ("Takahashi"). These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in each of amended independent claims 1 and 11, a signal generator and a license management method thereof are provided whereby the signal generator is configured to transmit a modulation signal as a test signal to a measurement object corresponding to a digital communication equipment in a mobile communication system.

As recited in each of amended independent claims 1 and 11, a signal creating and supplying unit is configured to create the test signal to be transmitted to the measurement object, and a license of waveform data used in creating the test signal by the signal creating and supplying unit is managed. In addition, as recited in each of amended independent claims 1 and 11, a plurality of waveform data files into which a plurality of waveform data for various tests is written are stored in a waveform data memory, wave data file information specifying the plurality of waveform data files stored in the waveform data

memory is stored in a waveform data file information memory, a usable file list which specifies a usable waveform data file authenticated for the signal generator is taken and the taken usable file list is stored in a usable file list memory, a desired waveform data file is specified from the plurality of waveform data files stored in the waveform data memory, the usable file list stored in the usable file list memory and the wave data file information stored in the waveform data file information memory are utilized to determine whether or not the specified desired waveform data file is included in the usable file list stored in the usable file list memory, and the specified waveform data file is read from the waveform data memory and transferred to the signal creating and supplying unit when it is determined that the specified desired waveform data file is included in the usable file list memory.

Still further, according to the present invention as recited in amended independent claims 1 and 11, the signal creating and supplying unit is configured to create a predetermined test signal according to the waveform data read from the transferred waveform data file and transmit the predetermined test signal to the measurement object, and the taken usable file list and the wave data file information stored in the waveform data file information memory have been encoded previously with inherent information in the signal generator.

Yet still further, as recited in each of amended independent claims 1 and 11, an encoded usable file list is decoded with the inherent information in the signal generator and a decoded usable file list is written in the usable file list memory, and an encoded wave data file information is decoded with the inherent information in the signal generator and a decoded wave data file information is transmitted for determining whether the specified desired waveform data file is included in the usable file list, wherein the inherent information in the signal generator is a manufacture serial number of the signal generator. And, as recited in each of amended independent claims 1 and 11, the manufacture serial number of the signal generator is stored in a manufacture serial number memory, and the encoded usable file list and the encoded wave data file information are decoded by using the manufacture serial number of the signal generator read from the manufacture serial number memory.

That is, according to the present invention as recited in amended independent claims 1 and 11, encoding and decoding of information is performed by using the manufacture serial number of the signal generator.

It is respectfully submitted that none of the cited prior art references disclose, teach or suggest the above described features of the present invention as recited in amended independent claims 1 and 11.

Adcock et al merely discloses a signal generator comprising a management function. And as recognized by the Examiner, Yamagata discloses a structure along the lines of to the usable file list taking unit and a structure along the lines of to the usable file list memory.

However, it is respectfully submitted that Adcock et al and Yamagata do not disclose, teach or suggest that a usable file list is encoded or decoded by using the manufacture serial number of the signal generator as according to the claimed present invention. In addition, it is respectfully submitted that Adcock et al and Yamagata do not disclose, teach or suggest a signal generator comprising a waveform data file information memory which stores wave data file information, or encoding or decoding the wave data file information by using the manufacture serial number of the signal generator, as recited in amended independent claims 1 and 11.

Still further, it is noted that Yamagata discloses that the right-to-access data 61 matches a user's registered user ID and the information which specifies the music data in which the user concerned has the right to access is shown (see paragraph [0022]). According to Yamagata, the reproducing permission music data list which is a list of the music data in which the user concerned has the right to access is generated using the right-to-access data 61 memorized by the user ID and the storage parts

store 32 which are contained in the reproducing permission music data list demand concerned (see paragraph [0036]). And according to Yamagata, the removable storage parts store 54 is a memory with which the playback equipment 5 is equipped, for example enabling free attachment and detachment and which was included in the IC card which a user owns. The user's peculiar user ID registered into music data distribution systems 31 and 32 is memorized by the removable storage parts store 54 (see paragraph [0030]).

That is, according to Yamagata, a "user ID" is used to identify each individual user. And according to Yamagata, the user ID is stored in a detachable IC card. As a result, in Yamagata, if a user owns two or more of the reproduction devices, the user can select a desired one of the devices and playback the reproducing permission music after inserting the IC card into the selected device.

By contrast, the signal generator of the claimed present invention is used in testing digital communication devices of the mobile communication system. Therefore, there is a high chance that the signal generator of the claimed present invention may be used by two or more persons (for example, two or more staff members involved in the research and development of digital communication devices). In such a case, it is more appropriate to employ the method of managing the licenses by identifying each



individual signal generator (as according to the claimed present invention), instead of managing the licenses by identifying each individual user (as according to the cited prior art).

Therefore, according to the claimed present invention, the usable file list and waveform data file information are encoded and decoded by using the manufacture serial number of the signal generator. And with this structure, the waveform data file information is prevented from being altered, and as a result, unauthorized use of the waveform data is prevented. As a result, an advantageous effect is produced whereby the license management of waveform data in a signal generator is performed more appropriately.

It is respectfully submitted that even if all of Adcock et al, Yamagata and Takahashi were combinable in the manner suggested by the Examiner, any such combination would still not achieve or render obvious the above described claimed features and advantageous effects of the present invention as recited in amended independent claims 1 and 11.

With respect to amended claims 8 and 18, it is respectfully pointed out that the detailed information of the waveform data read from the transferred waveform data file is displayed, and the measurement object corresponds to a mobile phone for a W-CDMA system and the detailed information includes a bit rate. That is, according to the present invention as recited in amended

claims 8 and 18, information bit rate of the waveform data is displayed as the detailed data.

As described in the specification at, for example, page 25, lines 11-19, and page 33, lines 3-11, a plurality of types of information bit rates are defined as test parameters in the tests for the W-CDMA type mobile phones. Thus, a plurality of waveform data which respectively correspond to these information bit rates are required. Here, a user of the signal generator would like to confirm the information bit rate of the waveform data of the test signal currently being output. And with the structure of the present invention as recited in claims 8 and 18, since information bit rates of waveform data are displayed, it becomes possible for the user of the signal generator to execute various types of tasks with high efficiency.

With respect to the cited prior art, Adcock et al merely discloses a user interface 32 in Fig. 1 and column 2, lines 44-55 thereof, and Yamagata merely discloses in Fig. 1, ST3 and in the specification at paragraphs [0037]-[0038] thereof that a music data list is indicated on the indicator 56. And it is respectfully submitted that Adcock et al and Yamagata do not at all disclose, teach or suggest the above described feature and advantageous effect of the present invention as recited in amended claims 8 and 18.

In view of the foregoing, it is respectfully submitted amended independent claims 1 and 11, and claims 1, 2, 5-10, 12 and 15-20 respectively depending therefrom, clearly patentably distinguish over Adcock et al, Yamagata and Takahashi, taken singly or in combination, under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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